



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,661	12/01/2000	Zeev Barzilai	6727/1H145US1	5571

7590 09/26/2005
DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

EXAMINER

TRAN, ELLEN C

ART UNIT PAPER NUMBER

2134

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,661

Applicant(s)

BARZILAI ET AL.

Examiner

Ellen C. Tran

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 55-105 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 55-105 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication: amendment filed 12 July 2005 with recognition of the original application was filed on 1 December 2000 with a continuing application priority date of 09 May 2000.
2. Claims 55-105 are currently pending in this application. Claim 55, 68, 72, 79, 91, 95, 102, 104, and 105 are independent claims. Claims 55-105 are new. Claims 1-54 are cancelled, amendments to the claims accepted.

Response to Arguments

3. Applicant's arguments with respect to claims 55-105 have been considered but they are not found persuasive where noted below. The arguments that are not noted below are moot in view of new grounds of rejection.

In response to applicant's argument beginning on page 12, "Claim 55 recites ... respective privacy policies to be assigned to different Web pages on the same Web site ... Hunt, however, neither teaches nor suggest a method by which different privacy policies can be maintained and applied on different pages in the same Web site of the same enterprise". The Office disagrees with argument as shown in the below Office Action, Hunt uses the registration agent to query the forms requested for registration. The "forms" are interpreted to have the same meaning as "Web pages" in addition Hunt explains how a user can specify what information can be release to a site and how different fields in the form or forms used can have different privacy policies attached.

In response to applicant's argument beginning on page 13, "Hunt, however, neither teaches nor suggest any sort of method for computation of privacy policies, let alone the specific

Art Unit: 2134

hierarchical method of combining privacy rules over multiple nodes that is recited in new claim 68". The Office disagrees with argument "computing" is interpreted to have the same meaning as "determining" as shown below as well as in '855 col. 9, lines 6-29. In addition "multiple nodes" is interpreted to have the same meaning as the fields in the forms used in Hunt.

In response to applicant's argument beginning on page 13, "Claim 71 is a dependent claim, which adds the limitation that the privacy rules assigned to each node are represented as policy section, which are written XML and comprise an attribute identifying the parent of the node". The Office does not agree in Hunt, instead of XML, HTML is used, the nodes as claimed are another term for the level of policy that the user assigns to a field or attribute of information. This shown below in '855 col. 5, line 55 through col. 6, line 5.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language

5. **Claims 55-57, 59-64, 66-71, 79-81, 83-87, 89, 90-94, and 102-104**, are rejected under 35 U.S.C. 102(e) as being anticipated by Hunt et al. U.S. Patent No. 6,496,855 (hereinafter '855).

As to independent claim 55, “A computer-implemented method for privacy management, comprising:” is taught in '855 col. 1, lines 55 through col. 2, line 17;

“providing a linked collection of Web pages, comprising at least first and second Web pages, on a Web site maintained by an enterprise, so as to enable a user to exchange information with the enterprise via the Web pages” is shown in '855 col. 5, lines 20-33 (i.e. “pages” same as “forms”);

“assigning respective, non-uniform privacy policies to at least some of the Web pages regarding use of the information that is exchanged through the Web pages, the privacy policies comprising at least a first privacy policy assigned to the first Web page and a second, different privacy policy assigned to the second Web page” is disclosed in '855 col. 7, lines 52-65;

“providing to the user accessing the first and second Web pages the respective privacy policies for the first and second Web page” is taught in '855 col. 6, line 53 through col. 7, line 31;

“and exchanging the information with the user via the Web site subject to the non-uniform privacy policies, such that at least a first portion of the information is exchanged via the first Web page subject to the first privacy policy, and at least a second portion of the information is exchanged via the second Web page subject to the second privacy policy” is shown in col. 9, lines 16-45.

As to dependent claim 56, “wherein exchanging the information with the user comprises receiving private information submitted to the enterprise by the user” is disclosed in ‘855 col. 7, lines 38-61.

As to dependent claim 57, “wherein receiving the private information comprises receiving the user's agreement to at least one of the privacy policies, and recording the private information together with an indication of the at least one of the privacy policies agreed upon” is taught in ‘855 col. 7, line 62 through col. 8, line 9.

As to dependent claim 59, “wherein providing the linked collection of Web pages comprises arranging the Web pages in a hierarchy of nodes that comprises a root node, such that each of the nodes except for the root node has a parent node in the hierarchy, and wherein assigning the privacy policies comprises assigning to each of at least some of the nodes, including the nodes associated with the first and second Web pages, one or more respective privacy rules regarding use of the information that is associated with the nodes, and setting for each of the nodes a node privacy policy that comprises the privacy rules assigned to the node combined, for each of the nodes except the root node, with the node privacy policy of its parent node” is disclosed in ‘855 col. 7, lines 1-65.

As to dependent claim 60, “wherein providing the respective privacy policies comprises informing the user who has exchanged the information associated with the first Web page subject to the first privacy policy of a difference in the second privacy policy relative to the first privacy policy before exchanging the information associated with the second Web page” is taught in ‘855 col. 5, lines 44-45.

As to dependent claim 61, “wherein assigning the non-uniform privacy policies comprises assigning an initial privacy policy to the first Web page, and subsequently making a change in the initial privacy policy so as to assign a modified privacy policy to the first Web page, and wherein providing the privacy policies to the user comprises informing the user who has exchanged information with the first Web page subject to the initial privacy policy of the change” is shown in ‘855 col. 3, lines 52-67.

As to dependent claim 62, “wherein informing the user comprises prompting the user to provide an input to indicate whether the user accepts or rejects the change” is disclosed in ‘855 col. 5, lines 44-45.

As to dependent claim 63, “wherein assigning the privacy policies comprises storing the privacy policies in a computer server belonging to the enterprise, and wherein providing the privacy policies to the user comprises intercepting a request by the user to access the first Web page and providing the first privacy policy to the user responsive to the request” is shown in ‘855 col. 2, lines 6-33.

As to dependent claim 64, “wherein providing the privacy policies comprises conveying the policies in a standard form for presentation by a Web browser” is taught in ‘855 col. 5, line 55 through col. 6, line 5.

As to dependent claim 66, “wherein assigning the non-uniform privacy policies comprises determining a rating for each of the policies based on a predetermined rating scale” is shown in ‘855 col. 6, lines 44-64.

As to dependent claim 67, “wherein assigning the non-uniform privacy policies comprises defining first and second user classes and defining, for a given one of the Web

Art Unit: 2134

pages, different first and second class privacy policies, respectively, for the first and second user classes, and wherein providing the privacy policies to the user comprises determining whether the user belongs to the first or second class, and providing the first or the second class privacy policy accordingly” is disclosed in ‘855 col. 7, lines 52-65.

As to independent claim 68, “A computer-implemented method for privacy management, comprising:” is taught in ‘855 col. 1, lines 55 through col. 2, line 17;

“arranging a body of information in a hierarchy of nodes that comprises a root node, such that each of the nodes except for the root node has one or more ancestor nodes in the hierarchy” is shown in col. 6, line 44 through col. 7, line 11; (i.e. “body of information” same as “user profile”, “root node” same as “core profile”, “ancestor nodes” same as “site specific profile”)

“assigning to each of at least some of the nodes one or more respective privacy rules regarding use of the information that is associated with the node” is disclosed in ‘855 col. 7, lines 62-65;

“receiving a request from a user to access a given node” is taught in ‘855 col. 5, lines 51- 55;

“computing a node privacy policy for the given node by combining the privacy rules assigned to the given node with node privacy policies of the ancestor nodes of the given node in the hierarchy” is shown in ‘855 col. 6, lines 6-43;

“providing the computed node privacy policy to the user; and exchanging with the user at least a portion of the information that is associated with the given node subject to the provided privacy policy” is disclosed in ‘855 is disclosed in ‘855 col. 6, lines 44-67.

As to dependent claim 69, this claim is substantially similar to dependent claims 56; therefore it is rejected along similar rationale.

As to dependent claim 70, “wherein arranging the body of information comprises associating the nodes with respective Web pages accessible through a Web site” is shown in ‘855 col. 5, lines 20-33 (i.e. “pages” same as “forms”);

As to dependent claim 71, “wherein assigning the respective privacy rules comprises representing the privacy rules assigned to each of the at least some of the nodes as respective policy sections, which are written in an extended markup language (XML) and comprise an attribute identifying a parent node in the hierarchy” is disclosed in ‘855 col. 5, line 55 through col. 6, line 5.

As to independent claim 79, this claim is directed to the apparatus for the method of claim 55; therefore it is rejected along similar rationale.

As to dependent claims 80, 81, 83-87, 89, and 90, these claims are substantially similar to dependent claims 56, 57, 59-64, 66, and 67; therefore they are rejected along similar rationale.

As to independent claim 91, this claim is directed to the apparatus for the method of claim 68; therefore it is rejected along similar rationale.

As to dependent claims 92-94, these claims are substantially similar to dependent claims 69-71; therefore they are rejected along similar rationale.

As to independent claim 102, this claim is directed to the software program for the method of claim 55; therefore it is rejected along similar rationale.

As to dependent claims 103, this claim is substantially similar to dependent claim 57; therefore it is rejected along similar rationale.

As to independent claim 104, this claim is directed to the software program for the method of claim 68; therefore it is rejected along similar rationale.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 58, 65, 82, 88** are rejected under 35 U.S.C. 103(a) as being unpatentable over '855 in further view of Itabashi et al. U.S. Patent No. 6,308,203 (hereinafter '203).

As to dependent claim 58, “querying the application to determine its compliance with the at least one of the privacy policies subject to which the requested information was received; and providing the requested information subject to the compliance of the application with the at least one of the privacy policies” is taught in '855 col. 6, lines 6-14 “Any system for submitting data to a site on behalf of a user will need certain information about the site and its form system, which is termed Site Data Requirements (SDR) ... and needs to include at least some of the following information ... 2. what are the site’s data privacy policies? Is there any relevant third party auditing or accreditation”; the following is not taught in '855: **“and comprising: intercepting a request from an application to use the private information received from the user”** however '203 teaches

Art Unit: 2134

“The information processing apparatus of still another embodiment of the present invention further comprises a detection means ... The information processing apparatus of still yet another embodiment of the present invention further comprises another detection means ... for detecting unauthorized access to the personal information ... An information processing apparatus of still further embodiment of the present invention comprises an access means (for example, step S21 shown in FIG. 4) for accessing an information processing device of an information provider through a server and a control means (for example, step S27 shown in FIG. 4) for controlling the provision by the server of personal information stored in a storage means to the information processing device of the information provider on behalf of a user when a request for the personal information comes from the information processing device of the information provider” in col. 4, lines 30-53.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of '855, a Web site registration proxy system to include the use of P3P format as well as a means to intercept requests. One of ordinary skill in the art would have been motivated to perform such a modifications to place emphasis on mobility and low (see '203 col. 1, lines 49 et seq. and col. 2, lines 36 et seq.). “In addition, a mobile terminal device for accessing information or service providers from outside the home is generally designed with emphasis placed on mobility and low cost and therefore is inferior in capability ... In carrying out the invention and according to yet another aspect thereof, there is provided an information processing apparatus comprising: an access means for accessing the information processing device of the information provider through the server; and a control means for controlling the

provision of the personal information stored in the storage means to the information processing device of the information provider by the server on behalf of any of the plurality of users” .

As to dependent claim 65, “wherein the standard form comprises a form specified by the Platform for Privacy Preferences Project (P3P)” is shown in ‘203 col. 5, lines 24-28 “The computer group has at least a proxy device 109, a user profile database 110 storing personal information of plural users, and a user agent (UA) 111 of P3P (Platform for Privacy Preference Project) as a computer program, thereby realizing a proxy agent service capability for providing personal information”.

As to dependent claims 82 and 88; these claims are substantially similar to 58 and 65; therefore they are rejected along similar rationale.

8. **Claims 72-78, 95-101, and 105,** are rejected under 35 U.S.C. 103(a) as being unpatentable over ‘855 in further view of Itabashi et al. U.S. Patent No. 6,308,203 (hereinafter ‘203).

As to independent claim 72, “A computer-implemented method for privacy management, comprising:” is taught in ‘855 col. 1, lines 55 through col. 2, line 17 “According to a first aspect of the present invention, in an arrangement comprising at least one computer network connecting at least one personal computer being associated with at least one user, a method for managing the registration of the user with the at least one service computer, the method comprising the steps of: gathering registration data for the at least one service computer; storing the registration data in at least one data structure on at least one registration agent computer connected to the computer network; gathering personal data for the user; storing at

least part of the personal data in at least one data structure on at least one registration agent computer connected to the computer network; and in response to a request from the user to registration agent computer connected to the computer network to register the user”;

“providing a linked collection of interactive resources through which a user is able to exchange information with an enterprise that provides the resources” is shown in ‘855 col. 5, lines 20-33 “Each website that is affiliated with the registration agent site is represented in a registration profile database 13 where details of the site registration requirements, including the registration forms used by the website, are stored”;

“at least some of the resources having privacy policies associated there with regarding use of the information that is exchanged through the resources” is disclosed in ‘855 col. 7, lines 52-65 “The information may be grouped into different categories ... For each information group, the user chooses an information policy, which tells the registration agent site 10 when and to whom the information in that category can be given out”;

“receiving information from users who access the resources subject to the privacy policies” is shown in col. 9, lines 16-45 “An important aspect of the present invention is that it is possible for the user to specify a privacy policy”;

“upon receiving the request from the application, querying the application to determine compliance of the application with the privacy policies subject to which the requested information was received; and providing the requested information to the application subject to the compliance of the application with the privacy policies” is taught in ‘855 col. 6, lines 6-14 “Any system for submitting data to a site on behalf of a user will need certain information about the site and its form system, which is termed Site Data Requirements

Art Unit: 2134

(SDR) ... and needs to include at least some of the following information ... 2. what are the site's data privacy policies? Is there any relevant third party auditing or accreditation"; the following is not taught in '855: **"intercepting a request from an application to use the information received from the users;** however '203 teaches "The information processing apparatus of still another embodiment of the present invention further comprises a detection means ... The information processing apparatus of still yet another embodiment of the present invention further comprises another detection means ... for detecting unauthorized access to the personal information ... An information processing apparatus of still further embodiment of the present invention comprises an access means (for example, step S21 shown in FIG. 4) for accessing an information processing device of an information provider through a server and a control means (for example, step S27 shown in FIG. 4) for controlling the provision by the server of personal information stored in a storage means to the information processing device of the information provider on behalf of a user when a request for the personal information comes from the information processing device of the information provider" in col. 4, lines 30-53.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of '855, a Web site registration proxy system to include the use of P3P format as well as a means to intercept requests. One of ordinary skill in the art would have been motivated to perform such a modifications to place emphasis on mobility and low cost (see '203 col. 1, lines 49 et seq. and col. 2, lines 36 et seq.). "In addition, a mobile terminal device for accessing information or service providers from outside the home is generally designed with emphasis placed on mobility and low cost and therefore is inferior in capability ... In carrying out the invention and according to yet another aspect thereof, there is provided an information

processing apparatus comprising: an access means for accessing the information processing device of the information provider through the server; and a control means for controlling the provision of the personal information stored in the storage means to the information processing device of the information provider by the server on behalf of any of the plurality of users” .

As to dependent claim 73, “wherein the collection of interactive resources comprises a collection of Web pages accessible through a Web site of the enterprise” is shown in ‘855 col. 5, lines 20-33 (i.e. “pages” same as “forms”) “Each website that is affiliated with the registration agent site is represented in a registration profile database 13 where details of the site registration requirements, including the registration forms used by the website, are stored”.

As to dependent claim 74, “wherein providing the linked collection of resources comprises associating non-uniform privacy policies with the resources, and wherein receiving the information comprises receiving and storing different items of the information subject to different privacy rules from among the non-uniform privacy policies” is disclosed in ‘855 col. 7, lines 1-65 “a core profile which is a set of data fields required by more than one site. Users can have more than one set of core profile data which allows them to maintain a set of different “personalities”, for example one for work address and one for a home address. Other personal data can be stored in site-specific user profiles forming part of the user profile structure. These may consist of data which the user has supplied to a particular site, but which is not used for other sites. Examples include a user name and password for site, or preference data specific to one site ... The information may be grouped into different categories for example”.

As to dependent claim 75, “wherein providing the requested information comprises checking the compliance of the application with the privacy rules respectively applicable to each of the items of the information requested by the application” is taught in ‘855 col. 6, lines 6-14 “Any system for submitting data to a site on behalf of a user will need certain information about the site and its form system, which is termed Site Data Requirements (SDR) ... and needs to include at least some of the following information ... 2. what are the site’s data privacy policies? Is there any relevant third party auditing or accreditation”;

As to dependent claim 76, “wherein providing the requested information comprises determining that the application does not comply with the rules respectively applicable to a given item of the information, and refusing to provide the requested information with respect to the given item, while providing other information with respect to which the application does comply with the respectively applicable rules” is shown in ‘855 col. 3, lines 61-67 and col. 5, lines 44-45 “identifying and resolving conflicts between the user’s privacy preferences and the site’s policies”

As to dependent claim 77, “wherein receiving the information comprises receiving the information from first and second users subject to respective first and second privacy policies, and wherein providing the requested information comprises checking the compliance of the application with both the first and the second privacy policies” is taught in ‘855 col. 6, lines 6-14 “Any system for submitting data to a site on behalf of a user will need certain information about the site and its form system, which is termed Site Data Requirements (SDR) ... and needs to include at least some of the following information ... 2. what are the site’s data privacy policies? Is there any relevant third party auditing or accreditation”.

As to dependent claim 78, “and comprising making a record of the request and of the information provided responsive thereto in a log for review in a subsequent privacy audit” is taught in ‘855 col. 7, line 62 through col. 8, line 9 “For each information group, the user chooses and information policy, which tells the registration agent site 10 when and to whom the information in that category can be given out ... The user can choose the circumstances under which the data they tag as yellow can be given to sites they register with. For example, the user may specify that the site must have certain data handling policies in place and perhaps that theses policies must be verified by an independent agency”.

As to independent claim 95, this claim is directed to the apparatus for the method of claim 72; therefore it is rejected along similar rationale.

As to dependent claims 96-101 these claims are substantially similar to dependent claims 73-78; therefore they are rejected along similar rationale.

As to independent claim 105, this claim is directed to the software program for the method of claim 72; therefore it is rejected along similar rationale.

Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 6:00 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Gregory A Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2134

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ellen Tran
Patent Examiner
Technology Center 2134
21 September 2005

A handwritten signature in black ink, appearing to read 'G. Morse'.

GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100